

IN THE HIGH COURT OF KERALA AT ERNAKULAM

**PRESENT :
THE HONOURABLE MR. JUSTICE KURIAN JOSEPH**

THURSDAY, THE 14TH JUNE 2007 / 24TH JYAISHTA 1929

OP.No. 16900 of 1997(J)

PETITIONER:

**SOUTHERN UNION PHARMACEUTICAL,S
REP.BY ITS MANAGING PARTNER,
TRICHUR.**

**BY ADV. SRI.N.SUKUMARAN
SRI.S.SHYAM
SRI.LELLULAL**

RESPONDENTS:

- 1. STATE OF KERALA, REP.BY ITS
CHIEF SECRETARY, SECRETARIAT,
TRIVANDRUM.**
- 2. BOARD OF REVENUE (EXCISE), REP.BY
ITS SECRETARY, TRIVANDRUM.**
- 3. DEPUTY EXCISE COMMISSIONER,
CENTRAL ZONE, COCHIN.25.**
- 4. THE EXCISE INSPECTOR,
SOUTHERN UNION PHARMACEUTICALS, TRICHUR.**

BY GOVERNMENT PLEADER SRI.THOMAS JOHN AMBOOKEN

**THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD
ON 14/06/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

ORDER ON CMP. NO.30123/1997 IN OP. NO.16900/1997

DISMISSED

14.06.2007

SD/- KURIAN JOSEPH, JUDGE

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE FORWARDING LETTER ADDRESS TO THE 2ND RESPONDENT DT. 22.2.1997.

EXT.P2:- COPY OF THE CHALLAN RECEIPT DT. 22.2.97 FOR DEPOSIT OF RS.400/- AS RENEWAL FEE.

EXT.P3:- COPY OF THE RECOMMENDATION LETTER ISSUED FROM THE 4TH RESPONDENT TO 3RD RESPONDENT DT. 22.2.97.

EXT.P4:- COPY OF THE LETTER SENT BY THE 3RD RESPONDENT TO THE 2ND RESPONDENT DT. 27.2.1997.

EXT.P5:- COPY OF THE STATEMENT OF ARREARS FORWARDED BY THE 4TH RESPONDENT ALONGWITH EXT.P3 DT. 22.2.97.

EXT.P6:- COPY OF THE STATEMENT FORWARDED BY THE 4TH RESPONDENT FOR THE YEAR 1990-91 DT. 5.4.90.

EXT.P7:- COPY OF THE LICENSE ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER FOR THE YEAR 1989 – 90.

EXT.P8:- COPY OF THE ORDER PASSED BY THE 2ND RESPONDENT DT. 6.3.97.

EXT.P9:- COPY OF THE APPEAL FILED AGAINST EXT.P8 ORDER BY THE PETITIONER BEFORE 1ST RESPONDENT DT. 11.3.1997.

EXT.P10:- COPY OF THE REMINDER SUBMITTED BY THE PETITIONER BEFORE THE 1ST RESPONDENT DT. 29.6.94.

EXT.P11:- COPY OF THE REMINDER SUBMITTED BY THE PETITIONER BEFORE THE 1ST RESPONDENT DT. 26.3.97.

EXT.P12:- COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT DT. 27.5.97.

EXT.P13:- COPY OF THE JUDGMENT OF THE HONOURABLE HIGH COURT OF KERALA IN OP. NO. 9695/97 DT. 9.6.97.

EXT.P14:- COPY OF THE LETTER ISSUED BY THE PETITIONER ALONGWITH EXT.P13 TO THE 1ST RESPONDENT DT. 23.6.97.

EXT.P15:- COPY OF THE LETTER ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER DT. 6.8.97.

EXT.P16:- COPY OF THE ORDER OF THE 1ST RESPONDENT DT. 13.10.97.

/TRUE COPY/

KURIAN JOSEPH, J.

O.P.No. 16900 of 1997

Dated this the 14th day of June, 2007

JUDGMENT

Petitioner approached this court with certain grievances regarding renewal of L1 licence. In view of the intervening developments petitioner submits that taking note of the payments already made certain amounts are due to be refunded. It is submitted that since the Drugs Licence has since been renewed, the writ petition itself can be disposed of reserving liberty to the petitioner to pursue the claim for refund of the alleged excess remittances in appropriate proceedings. Ordered accordingly.

(KURIAN JOSEPH, JUDGE)

ahg.

KURIAN JOSEPH, J.

O.P.NO.16900/1997

JUDGMENT

14th June, 2007